

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40052 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- Araria Sangram District- Madhubani

Pappu Kumar Mandal S/o- Baijnath Mandal @ Baijnath Prasad @ Vadyanath
Mandal, resident of Village- Teen Pipra, PS-Khutauna, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard Mr. Ratnakar Jha, learned counsel for the
petitioner and Mr. Ajay Kumar Jha, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
15.04.2026, in connection with Araria Sangram P.S. Case No.
27 of 2026, F.I.R. dated 15.04.2026 registered for the offences
punishable under Sections 274, 275 and 3(5) of the B.N.S. and
Section 30(a) of the Bihar Prohibition & Excise Act.

3. Recovery is of 396.00 litres of Saurabh Saufi
Nepali country made liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that recovery has been made from the car
in question and the petitioner has been made accused in the



present case merely on the ground that the petitioner is the driver of the Car in question. It appears from the seizure list that the seizure list witnesses are police personnel so there is non compliance of Section 103 and 105 of the B.N.S.S. and the petitioner is in custody since 15.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of similar nature other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner as well as there is non compliance of Section 103 and 105 of the B.N.S.S. , let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise), Jhanjharpur, Madhubani in connection with Araria Sangram P.S. Case No. 27 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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